

The following message was then taken up and read :

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, May 29, 1873. }

Hon. M. D. K. Taylor, Speaker of the House of Representatives :

SIR: I respectfully return to the House of Representatives, where it originated, the act entitled "An act sup-

June 3, 1873.]

HOUSE JOURNAL.

1347

plementary to an act entitled an act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the insane, approved February 5, 1858."

This act is an innovation on the system regulating the management of the Lunatic Asylum, which, on investigation, will, for several reasons, I think, not be found beneficial.

Section first strikes out all liability of counties for the support of indigent insane, thus at once adding probably fifteen thousand dollars per annum to the current expenses of the Lunatic Asylum, to be met by appropriations from the treasury, and this extra expenditure must, of course, increase annually. There is no reason why the county authorities should be relieved of this burden. On the contrary, the mere fact of such relief would encourage them to put off upon the asylum the numerous cases of weak minded indigent who, without any danger to themselves or others, could be as well cared for at home, and to whom the asylum can be of no benefit as a curative institution.

Section second is still more objectionable, because it requires the asylum authorities to keep insane persons at the institution without regard to whether it is found possible to effect a cure or not, unless the relatives of such person apply for their discharge. It must be remembered that the Lunatic Asylum, upon its present basis, is intended solely for the cure of the insane. In its present capacity it cannot hold more than from a hundred to a hundred and ten persons, but if all the insane of the State are to be gathered there, its capacity must be increased to include a thousand or more. It has been found that after insanity continues for one year it may be considered chronic, and not likely to be cured. Now, then, if incurable or chronic insane are to be detained there against the judgment of the authorities, they must, until the capacity of the institution is vastly increased, exclude other applicants who might, by early attention, be cured and restored to their friends and usual associations.

I think the House will, on reflection, conclude with me that it is safer to leave this matter to the discretion of the managers and superintendent. Those officers may err

1348

HOUSE JOURNAL.

[June 3, 1873.]

sometimes, but on the whole their discretion will not go far wrong.

Very respectfully,

EDMUND J. DAVIS, Governor.

The bill having been read was put upon its passage, whereupon the House refused to pass it over the veto by the following vote :

Yeas—Messrs. Allison, Bewley, Bordeaux, Brown of Upshur, Chambers, Cunningham, Day, Denton, Gaston, Gillette, Gilpin, Hollingsworth, Joseph, Kemble, Kilgough, Leyendecker, Morris, Nelson, Payne, Powers, Rainey, Rimes, Robb, Rosborough, Russell, Salter, Short, Smith of Colorado, Smith of Houston, Storey, Thurmond, Tivy, Tom, Trolinger, Venters and Watts—36.

Nays—Messrs. Abbott, Adriance, Anderson, Berends, Broadus, Cook, Davenport, Eastland, Green, Harrison, Hoffman, Ireland, Kleberg, Lane, Manning, McDonald, Mills, Moore, Noeggerath, Phelps, Prendergast, Roberts, Sabin, Shaw, Stockbridge, Washington, Westfall, Wilder Williams, Winkler and Wood—31.